

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: William Ackerman, Budget & Finance Director / 797-1050

PREPARED BY: Colleen Ryan, Budget Manager

SUBJECT: Ordinance

AFFECTED DISTRICT: All Districts

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: BUDGET AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE ESTIMATED REVENUES AND APPROPRIATIONS FOR FISCAL YEAR 2010; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading on January 6, 2010 subject to bringing back with funding options. The vote is as follows: Mayor Paul - no; Vice Mayor Crowley - yes; Councilmember Caletka - yes; Councilmember Luis - yes; Councilmember Starkey - no.}

REPORT IN BRIEF: This ordinance adopts the amendments to the FY2010 Budget included as Exhibit A and increases the Town's adopted budget by \$19,881,599 (increased to \$19,895,599 for 2nd reading of the ordinance). The ordinance includes amendments to the budgets of the General Fund, Community Redevelopment Agency Fund, Community Development Block Grant Fund, Police Impact Fees Fund, Parks & Open Space Impact Fees Fund, Water & Wastewater Fund, and the Technology Information Management Fund. A summary of the budget increases and transfers for each fund may be found in Exhibit B.

GENERAL FUND BUDGET AMENDMENT

The ordinance increases the General Fund budget by \$9,915,530 (increased to \$9,929,530 for 2nd reading of the ordinance). The amendment is needed primarily to appropriate funds to support the Town Council's purchase of the Silver Oaks/Palma Nova property and its approval of a retroactive cost-of-living increase to employees of the FOPA bargaining unit.

The amendment includes appropriations increases for the following items in the General Fund:

- Land Acquisition, Silver Oaks/Palma Nova - \$9,048,000
- Retroactive COLA to FOPA employees (salaries & benefits) - \$348,641

- Legal Settlement proposed by Town Attorney - \$30,714 (increased to \$44,714 for 2nd reading)
 - 5 Year CIP revision to amend the funding source of the Enterprisewide GIS project - \$254,820
 - New Grants - \$88,355
 - Tree Preservation Fund projects (funding received in prior fiscal years) - \$115,000
 - Staples Dream Park Challenge, Driftwood Park (funding received FY2008) - \$5,000
 - Joe Diffe Concert (funding received from CRA FY2009) - \$25,000
- Total Expenditures amendment: \$9,915,530 (increased to \$9,929,530 for 2nd reading)

The amendment additionally includes a \$22,304 budget transfer within the Non-Departmental category to support a higher than budgeted CRA tax increment payment. This increase resulted from a greater final taxable value provided by BCPA in October 2009.

These budget increases will be funded by the following revenue sources:

General Fund Reserves - \$9,348,671 (increased to \$9,362,671 for 2nd reading)

Engineering Reserves - \$267,382

Building Reserves - \$66,122

Donations/Sponsorships/Fees from Prior Fiscal Years (held in Gen'l. Fund Reserve) - \$145,000

Grants - \$88,355

Total Revenue amendment: \$9,915,530 (increased to \$9,929,530 for 2nd reading)

COMMUNITY REDEVELOPMENT AGENCY FUND BUDGET AMENDMENT

The ordinance increases the Community Redevelopment Agency (CRA) Fund budget by \$8,598,124. This amendment is necessary to comply with Florida Statutes requiring that all monies which remain unspent in a community redevelopment fund at the end of the prior fiscal year be re-appropriated for specific projects. The estimated fund balance total as of September 30, 2009 is \$8,312,532. Of this balance, \$1,978,591 was encumbered for various projects at the end of FY 2009. In addition to the appropriation of fund balance, the amendment includes a \$285,592 budget increase related to higher than anticipated tax revenues for FY2010. The appropriations amendment includes \$3,297 to support the retroactive COLA payment to a FOPA bargaining unit employee.

CDBG FUND BUDGET AMENDMENT

The ordinance increases the CDBG Fund budget by \$793,120. It is entirely supported by Federal grant funding approved in prior fiscal years, but which remains unspent as of 9/30/2009 and unbudgeted for FY2010. The amendment increases the budget for the Disaster Recovery Initiative (DRI) by \$531,591 and the CDBG program by \$261,529.

PARK & OPEN SPACE IMPACT FEES FUND BUDGET AMENDMENT

The ordinance increases the Fund's budget by \$386,925 and uses impact fee revenue received in prior years. The amendment appropriates \$350,000 for development of the Van Kirk property as approved through Resolution 2009-250 on 9/21/2009. The

amendment also appropriates \$36,925 to fence the NW pasture at the Robbins Lodge property as directed by Council at its 11/4/2009 meeting.

POLICE IMPACT FEES FUND BUDGET AMENDMENT

The ordinance re-appropriates the \$125,000 budgeted in FY2009 for a new telephone system at the Davie Police Department, but which was not spent or encumbered by the end of the fiscal year. The Town Council approved the purchase contract for this project with resolution R-2009-205 on 8/19/2009.

WATER & WASTEWATER FUND BUDGET AMENDMENT

The ordinance increases the Utilities budget by \$61,746 to support the retroactive COLA payments made to FOPA bargaining unit employees. The amendment approves the use of the Fund's reserves for this purpose.

TECHNOLOGY INFORMATION MANAGEMENT FUND BUDGET AMENDMENT

The ordinance increases the TIMS budget by \$1,154 to support the retroactive COLA payment made to an FOPA bargaining unit employee. The amendment approves the use of the Fund's reserves for this purpose.

This ordinance was revised for second reading to include a proposed legal settlement with the Park City mobile home community. This revision increased the General Fund budget amendment by \$14,000.

PREVIOUS ACTIONS: The FY2010 Budget was adopted through Ordinance 2009-23 on 9/21/2009.

This budget amendment ordinance was approved at first reading on 1/20/2010. For second reading, the budget amendment for the General Fund was increased by \$14,000 to include a proposed legal settlement with the Park City mobile home community.

CONCURRENCES:

FISCAL IMPACT: Yes

Has request been budgeted? No

If yes, expected cost:

Account name and number:

If no, amount needed: \$19,881,599 (revised to \$19,895,599 for 2nd reading of the ordinance)

What account name and number will funds be appropriated from: Multiple accounts and revenue sources for each fund. Amendment amounts by account are available if requested.

Additional Comments:

RECOMMENDATION(S): Motion to approve resolution

Attachment(s): Ordinance; Exhibit A -Budget Amendment FY2010; Exhibit B - Summary Information

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA,
AUTHORIZING AN AMENDMENT TO THE ESTIMATED
REVENUES AND APPROPRIATIONS FOR FISCAL YEAR 2010;
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN
EFFECTIVE DATE.

WHEREAS, the Town of Davie adopted its Fiscal Year 2010 Budget through
Ordinance 2009-23 on September 21, 2009; and

WHEREAS, the Town Council recognizes that periodic modifications to the
estimated revenues and expenditures for the fiscal year may be necessary for fiscal
management purposes and to implement the decisions of the Town Council; and

WHEREAS, revisions are currently proposed to the Fiscal Year 2010 estimated
revenues and expenditures of the General Fund, the Community Redevelopment Agency
Fund, the Community Development Block Grant Fund, the Parks & Open Space Impact
Fees Fund, the Police Impact Fees Fund, the Water & Wastewater Fund, and the
Technology Information Management Fund; and

WHEREAS, the fund balance of the Community Redevelopment Agency Fund as
of September 30, 2009 shall be appropriated for redevelopment projects within the CRA.
These projects include the purchase of the Town Hall site, drainage improvements west
of Davie Road, the installation of infrastructure improvements such as water lines,
sanitary sewer lines, storm sewer lines, roads, and planning for the construction of a
parking garage to serve the new Town Hall and adjoining properties.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN
OF DAVIE, FLORIDA:

SECTION 1. The Town Council of the Town of Davie hereby adopts the amendments to the FY 2010 Budget included in “Exhibit A.”

SECTION 2. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

SECTION 4. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS ____ DAY OF _____, 2010.

PASSED ON SECOND READING THIS ____ DAY OF _____, 2010.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2010

EXHIBIT A

**TOWN OF DAVIE
BUDGET AMENDMENT
FISCAL YEAR 2010**

GENERAL FUND

	<u>Amendment Amount</u>
ESTIMATED REVENUES	
General Operating	
Other Sources	\$9,841,175
Law Enforcement Services	
Charges for Services	\$10,180
Public Works	
Intergovernmental	\$78,175
Total Revenue Amendment	<u><u>\$9,929,530</u></u>
ESTIMATED APPROPRIATIONS	
Budget & Finance	\$5,171
Town Clerk	\$6,310
Engineering	\$12,562
Planning & Zoning	\$5,270
Law Enforcement Services	\$117,762
Fire Protection Services	\$74,513
Public Works	\$272,281
Special Projects	\$33,990
Parks & Recreation	\$48,344
Housing & Com. Dev.	\$5,793
Town Attorney	\$44,714
Non-Departmental*	\$9,302,820
Total Appropriations Amendment	<u><u>\$9,929,530</u></u>

* Includes an intradepartmental transfer of \$22,304.

EXHIBIT A

**TOWN OF DAVIE
BUDGET AMENDMENT
FISCAL YEAR 2010**

COMMUNITY REDEVELOPMENT AGENCY FUND

	<u>Amendment Amount</u>
ESTIMATED REVENUES	
Advalorem Taxes	\$285,592
Other Sources	<u>\$8,312,532</u>
Total Revenue Amendment	<u><u>\$8,598,124</u></u>
ESTIMATED APPROPRIATIONS	
Community Redevelopment Agency	<u>\$8,598,124</u>
Total Appropriations Amendment	<u><u>\$8,598,124</u></u>

EXHIBIT A

**TOWN OF DAVIE
BUDGET AMENDMENT
FISCAL YEAR 2010**

COMMUNITY DEVELOPMENT BLOCK GRANT FUND

	<u>Amendment Amount</u>
ESTIMATED REVENUES	
Intergovernmental Revenues	<u>\$793,120</u>
Total Revenue Amendment	<u><u>\$793,120</u></u>
ESTIMATED APPROPRIATIONS	
Housing & Community Development	<u>\$793,120</u>
Total Appropriations Amendment	<u><u>\$793,120</u></u>

EXHIBIT A

**TOWN OF DAVIE
BUDGET AMENDMENT
FISCAL YEAR 2010**

PARKS & OPEN SPACE IMPACT FEES FUND

	<u>Amendment Amount</u>
ESTIMATED REVENUES	
Other Sources	\$386,925
Total Revenue Amendment	<u>\$386,925</u>
ESTIMATED APPROPRIATIONS	
Parks & Recreation	\$386,925
Total Appropriations Amendment	<u>\$386,925</u>

EXHIBIT A

**TOWN OF DAVIE
BUDGET AMENDMENT
FISCAL YEAR 2010**

POLICE IMPACT FEES FUND

	<u>Amendment Amount</u>
ESTIMATED REVENUES	
Other Sources	<u>\$125,000</u>
Total Revenue Amendment	<u><u>\$125,000</u></u>
ESTIMATED APPROPRIATIONS	
Law Enforcement Services	<u>\$125,000</u>
Total Appropriations Amendment	<u><u>\$125,000</u></u>

EXHIBIT A

**TOWN OF DAVIE
BUDGET AMENDMENT
FISCAL YEAR 2010**

WATER & WASTEWATER FUND

	<u>Amendment Amount</u>
ESTIMATED REVENUES	
Other Sources	<u>\$61,746</u>
Total Revenue Amendment	<u><u>\$61,746</u></u>
ESTIMATED APPROPRIATIONS	
Water & Sewer Svcs	<u>\$61,746</u>
Total Appropriations Amendment	<u><u>\$61,746</u></u>

EXHIBIT A

**TOWN OF DAVIE
BUDGET AMENDMENT
FISCAL YEAR 2010**

TECHNOLOGY INFORMATION MANGEMENT FUND

	<u>Amendment Amount</u>
ESTIMATED REVENUES	
Other Sources	<u>\$1,154</u>
Total Revenue Amendment	<u><u>\$1,154</u></u>
ESTIMATED APPROPRIATIONS	
TIMS Internal Services	<u>\$1,154</u>
Total Appropriations Amendment	<u><u>\$1,154</u></u>

EXHIBIT B**SUMMARY INFORMATION FY 2010 BUDGET AMENDMENT**

	Previously Unbudgeted	Budget Transfers From	Budget Transfers To	Budget Amendment Total
<u>GENERAL FUND BUDGET AMENDMENT</u>				
<u>Revenue Summary</u>				
General Operating				
Other Sources - From General Fund Reserves - Land Acquisition Silver Oaks	\$9,048,000			\$9,048,000
Other Sources - From General Fund Reserves - Joe Diffe Concert	\$25,000			\$25,000
Other Sources - From General Fund Reserves - Tree Preservation Fund Projects	\$115,000			\$115,000
Other Sources - From General Fund Reserves - Staples Dream Park Challenge - Driftwood	\$5,000			\$5,000
Other Sources - From General Fund Reserves - Uniprop Legal Settlement	\$30,714			\$30,714
Other Sources - From General Fund Reserves - Park City Legal Settlement	\$14,000			\$14,000
Other Sources - From General Fund Reserves - Retroactive COLA pay to FOPA Employees	\$269,957			\$269,957
Other Sources - From Building & Engineering Reserves - Retroactive COLA pay to FOPA Employees	\$78,684			\$78,684
Other Sources - From Engineering Reserves - Enterprise-wide GIS/Fire Station Renovations	\$254,820			\$254,820
Law Enforcement Services				
Charges for Services - JAG 2008 Grant	\$10,180			\$10,180
Public Works				
Intergovernmental - Partners in Preservation Grants	\$78,175			\$78,175
Revenue Totals	<u>\$9,929,530</u>	<u>\$0</u>	<u>\$0</u>	<u>\$9,929,530</u>
<u>Appropriations Summary</u>				
Non-Departmental				
Land Acquisition - Silver Oaks	\$9,048,000			\$9,048,000
5-Year CIP Revision, Enterprise-wide GIS/Fire Station Renovations	\$254,820			\$254,820
Tax Increment Payment to CRA (higher than amount budgeted)		(\$22,304)	\$22,304	\$0
Various Departments - Retroactive COLA pay to FOPA collective bargaining unit employees				
Budget & Finance	\$5,171			\$5,171
Town Clerk	\$6,310			\$6,310
Engineering	\$12,562			\$12,562
Planning & Zoning	\$5,270			\$5,270
Law Enforcement Services	\$107,582			\$107,582
Fire Protection Services	\$8,391			\$8,391
Building Division	\$66,122			\$66,122
Public Works	\$79,106			\$79,106
Special Projects	\$8,990			\$8,990
Parks & Recreation	\$43,344			\$43,344
Housing & Community Dev.	\$5,793			\$5,793
Law Enforcement Services				
Police Justice Assistance Grant (JAG 2008)	\$10,180			\$10,180
Public Works				
Partners in Preservation Grant - Robbins	\$50,000			\$50,000
Partners in Preservation Grant - Pine Island Park	\$28,175			\$28,175
Tree Preservation Fund - University Drive	\$85,000			\$85,000
Tree Preservation Fund - Flamingo Road	\$28,000			\$28,000
Tree Preservation Fund - Wildlife Habitat Trees	\$2,000			\$2,000
Special Projects				
Joe Diffe Concert (sponsorship revenue received from CRA in FY2009)	\$25,000			\$25,000
Parks & Recreation				
Staples Dream Park Challenge - Driftwood Park playground (donation received in FY2008)	\$5,000			\$5,000
Town Attorney				
Uniprop Legal Settlement	\$30,714			\$30,714
Park City Legal Settlement	\$14,000			\$14,000
Appropriations Totals	<u>\$9,929,530</u>	<u>(\$22,304)</u>	<u>\$22,304</u>	<u>\$9,929,530</u>

EXHIBIT B**SUMMARY INFORMATION FY 2010 BUDGET AMENDMENT**

	<u>Previously Unbudgeted</u>	<u>Budget Transfers From</u>	<u>Budget Transfers To</u>	<u>Budget Amendment Total</u>
<u>CRA FUND BUDGET AMENDMENT</u>				
<u>Revenue Summary</u>				
Other Sources - Reserves/CRA Fund Balance	\$8,312,532			\$8,312,532
Ad Valorem Taxes	\$285,592			\$285,592
Revenue Totals	\$8,598,124	\$0	\$0	\$8,598,124
<u>Expenditure Summary</u>				
FY2009 Encumbrances carried-over	\$1,978,591			\$1,978,591
Retroactive COLA pay to FOPA collective bargaining unit employees	\$3,297			\$3,297
Special Projects	\$6,616,236			\$6,616,236
Appropriations Totals	\$8,598,124	\$0	\$0	\$8,598,124
<u>CDBG FUND BUDGET AMENDMENT</u>				
<u>Revenue Summary</u>				
Intergovernmental Rev - Federal Grant Revenue	\$793,120			\$793,120
Revenue Totals	\$793,120	\$0	\$0	\$793,120
<u>Expenditure Summary</u>				
CDBG Projects	\$261,529			\$261,529
Disaster Recovery Grant (DRI) - Emergency Generators	\$531,591			\$531,591
Appropriations Totals	\$793,120	\$0	\$0	\$793,120
<u>PARKS & OPEN SPACE IMPACT FEES FUND BUDGET AMENDMENT</u>				
<u>Revenue Summary</u>				
Other Sources - From Impact Fees Fund Reserve	\$386,925			\$386,925
Revenue Totals	\$386,925	\$0	\$0	\$386,925
<u>Expenditure Summary</u>				
Cattle Fencing of NW pasture at Robbins Open Space Preserve	\$36,925			\$36,925
Van Kirk Site Improvements	\$350,000			\$350,000
Appropriations Totals	\$386,925	\$0	\$0	\$386,925
<u>POLICE IMPACT FEES FUND BUDGET AMENDMENT</u>				
<u>Revenue Summary</u>				
Other Sources - From Impact Fees Fund Reserve	\$125,000			\$125,000
Revenue Totals	\$125,000	\$0	\$0	\$125,000
<u>Expenditure Summary</u>				
Impact Fee Expense - Phone system replacement at Davie Police Dept.	\$125,000			\$125,000
Appropriations Totals	\$125,000	\$0	\$0	\$125,000
<u>WATER & WASTEWATER FUND BUDGET AMENDMENT</u>				
<u>Revenue Summary</u>				
Other Sources - From Utility Fund Reserve	\$61,746			\$61,746
Revenue Totals	\$61,746	\$0	\$0	\$61,746
<u>Expenditure Summary</u>				
Retroactive COLA pay to FOPA collective bargaining unit employees	\$61,746			\$61,746
Appropriations Totals	\$61,746	\$0	\$0	\$61,746
<u>TECHNOLOGY INFORMATION MANAGEMENT FUND BUDGET AMENDMENT</u>				
<u>Revenue Summary</u>				
Other Sources - From TIMS Reserves	\$1,154			\$1,154
Revenue Totals	\$1,154	\$0	\$0	\$1,154
<u>Expenditure Summary</u>				
Retroactive COLA pay to FOPA collective bargaining unit employees	\$1,154			\$1,154
Appropriations Totals	\$1,154	\$0	\$0	\$1,154